

VOTING SYSTEM REIMBURSEMENT APPLICATION

*Revised December 6, 2004
Pursuant to Indiana Code 3-11-6.5*

OVERVIEW

Election Administration Assistance Fund

The election administration assistance fund is established under Indiana Code 3-11-6.5-2. One of the purposes of the fund is to reimburse counties for the purchase, lease-purchase, or lease of certain voting systems.

The voting system reimbursement process for a county must comply with both federal law and state law. To be certain that any reimbursement complies with these restrictions, the fund currently has five separate accounts for the federal money and state money that may be used for county voting system reimbursement.

Federal law (HAVA - the Help America Vote Act of 2002) limits the use of money in some fund accounts to reimbursement for voting equipment that (1) was obtained after November 7, 2000 and (2) complies with equipment standards established under HAVA.

State law (IC 3-11-6.5-4) limits the use of state money in some fund accounts to reimbursement for voting systems obtained after January 1, 1998 and before July 1, 2001.

Application Process and Review

Rather than have several separate application forms for a county to complete before receiving reimbursement from these different accounts, this application form is designed to be a single, unified form for a county to complete, regardless of the particular account from which the county may receive reimbursement funds.

The application must be filed with the Indiana Election Division (IED). The Secretary of State (SOS), with the consent of the Co-Directors of the IED, shall review the application and make a recommendation to the State Budget Committee regarding the application. The recommendation may provide that the application be approved in whole or in part, or rejected in whole or in part. The recommendation may also provide that action on part of an application be deferred pending further information or availability of federal funds.

The SOS and IED will forward an application to the Budget Committee as soon as the recommendation for that application is complete.

After the State Budget Committee completes its review of the application, the State Budget Agency will approve the application if the Budget Agency determines that the application complies with state law. Under the HAVA State Plan, an application can be approved in whole or in part by the State Budget Agency.

If the county's application is approved, the Secretary of State, with the consent of the Co-Directors of the IED, will reimburse the county from the fund in an amount determined by the SOS and IED.

As required by HAVA, the State has adopted a plan to administer the reimbursement program. Under this plan, each county seeking reimbursement must submit this application for reimbursement.

The applicants will be classified as members of one of two groups: "Tier A" counties are counties with precincts that used lever machines or punch cards at the November 7, 2000 general election. "Tier B" counties are all other counties.

Depending on the availability of federal funds, both Tier A and Tier B counties will be eligible for UP TO \$50,000 in reimbursement for voting system software to operate voting systems in the county. In addition to this amount the following shall apply:

- Depending on the availability of federal funds, Tier A counties will be eligible for reimbursement for UP TO \$8,000 per precinct.
- Depending on the availability of federal funds, Tier B counties will be eligible for reimbursement for UP TO \$4,000 per precinct.

Within Tier A and Tier B, each county applicant will be ranked on a “first come, first served” basis, based strictly on the date and time that this application is filed with the IED.

“Filed” means received and file-stamped by the IED. An applicant is responsible for ensuring that this application is received by the IED. An applicant may submit an application only by hand-delivery or mail. An application sent by fax will not be accepted. The IED strongly recommends that a county deliver an original application by courier or other method resulting in delivery confirmation.

State law (IC 3-11-6.5-6.1) requires that the Budget Agency give priority to approving applications to replace a punch card voting system or lever voting machine system.

State law also provides that the payment of money for reimbursement from the fund is subject to the availability of money in the fund.

As of December 6, 2004, money is available in the state fund to reimburse Tier A counties, at the federally determined rate of \$3,192 per precinct. (These are referred to in this application as “Section 102 funds.”)

Additional federal funding is now available from the State to reimburse both Tier A and Tier B counties. (These are referred to in this application as “Title III requirement monies.”)

Some additional federal funding (referred to in this application as “Section 101 funds”) will not be available for reimbursement of voting equipment purchases until after the counties and the State have met Title III requirements. For more information on Section 101 funds, see SECTION 5 of this application.

As a result, the IED anticipates that Tier A counties and Tier B counties may receive more than one partial reimbursement payment under this program, depending upon when funds become available.

Application Restrictions and Incentives

The IED and SOS are currently working with the Indiana Department of Administration to establish quantity purchase agreements (QPAs) with each voting system vendor that has a voting system model certified by the Indiana Election Commission for use in Indiana. However, a county is NOT required to purchase equipment under a QPA to qualify for reimbursement under this program. The IED and SOS will provide more specific information to the county regarding these QPAs as the information becomes available.

Counties are encouraged to negotiate purchases for voting system hardware and software at prices below the amount that will be set by the state quantity purchase agreements or the reimbursement schedule described in this application. If the County purchases hardware or software for an amount less than the amount available for allocation to the County under the reimbursement schedule, the County will be permitted to submit a “supplemental application” either at a later date or as part of this application for reimbursement in an amount that does not exceed the amount saved by the County in obtaining the hardware or software in a cost below the amount in the reimbursement schedule.

A “supplemental application” for reimbursement will only be recommended for approval if the reimbursement would be for an expenditure permitted by HAVA or state law to be made from the applicable HAVA account and if the SOS and IED determine that the County submitting the supplemental application has complied with all Title III HAVA requirements or is requesting reimbursement to do so.

The HAVA State Plan provides that in reviewing an application for reimbursement, the SOS and IED will determine whether the contract provides for products and services to be provided to the county at a reasonable cost and in accordance with standard business practices in Indiana. Further, the Plan states that the SOS and IED recommendation may not provide for reimbursement of clearly excessive or unreasonable costs. In making this determination regarding costs, a product which costs NO MORE THAN the cost provided for in the vendor’s QPA is considered a reasonable cost for the product.

If an application requests reimbursement for a precinct that used lever machines or punch cards in November 2000, the SOS and IED will determine if that precinct has any voters (or contained any voters in 2000). If not, the SOS and IED will not recommend reimbursement for that precinct.

If an application requests reimbursement for voting equipment used for casting or counting absentee ballots at a central location, or casting ballots at a polling place located in the office of the circuit court clerk or county election board, the SOS and IED will determine whether the equipment or software is used primarily for casting or counting votes. If the equipment or software is used primarily for voter registration or other election administration purposes, the SOS and IED will not recommend reimbursement for that equipment or software.

There are also restrictions under federal and state law regarding reimbursement from each of the separate fund accounts. For more information regarding these restrictions, see the text of the application below.

Federal and State Auditing Requirements; County Refund of Monies

Before the SOS recommends approval of this application, the county executive and county fiscal body must enter into an agreement with the State of Indiana, obligating the county to refund to the State an amount equal to the amount of the funds received by the applicant if the SOS and IED determine on March 1, 2006 that the county has not complied with the requirements set forth in federal law or state law, or has not honored the certifications made by the county in this application. For more information regarding this agreement, and these requirements and certifications, see the text of the application below.

GENERAL INSTRUCTIONS

Submit this application along with any attached supplementary material to the Indiana Election Division, 302 West Washington Street, Room E-204, Indianapolis, IN 46204-2738.

Contact the Election Division for information about the Budget Committee's scheduled meeting dates.

Please answer all questions fully and completely. If the answer to any question below is "not applicable" or "none" respond with "NA." For the most part, the application questions are self-explanatory and do not require further clarification. If you do need assistance in completing this application, you can contact the Election Division.

NOTE: If this application does not include an answer to each question, the application may be denied.

If you need more space to fully answer a question, please attach additional pages to this application.

The remainder of this page is intentionally left blank.

SECTION 1. BASIC APPLICATION INFORMATION

- (1) Name of County Submitting Application: _____
- (2) Name of Individual Preparing Application _____
- (3) Title of Individual _____
- (4) Mailing Address of Individual _____

- (5) Telephone of Individual _____
- Fax Number of Individual (if any) _____
- E-mail of Individual (if any) _____

- (6) Please attach proof of Individual's authority to submit this application on behalf of the county. An example resolution in the form below would be sufficient:

BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF _____ COUNTY: _____ (name and title of individual) is authorized to apply on behalf of this county for voting system reimbursement funds under IC 3-11-6.5. ADOPTED, THIS ____ DAY OF _____, 20____.

[Signatures of Commissioners, attestation by County Auditor.]

SECTION 2. BASIC VOTING SYSTEM INFORMATION

- (7) Describe the nature of the voting system obtained by the county.

The voting system is (*check one*)

- ☐ A new voting system;
- ☐ An upgrade or expansion to an existing voting system.

- (8) Did the county (*check one*)

- ☐ purchase;
- ☐ lease; or
- ☐ lease-purchase

the voting system referenced in (7)?

(9) Did the county purchase, lease, or lease-purchase the voting system referenced in (7) using a state quantity purchase agreement (QPA) entered into by a vendor certified to market voting systems in Indiana and the Indiana Department of Administration?

☐

YES

☐

NO

(10) From which vendor did the county purchase, lease, or lease-purchase the voting system referenced in (7)?

☐

Diebold Election Systems

☐

Election Systems & Software

☐

Fidlar Election Company

☐

Hart Intercivic

☐

MicroVote Corporation

☐

Voting Technologies International

☐

Other _____

(11) State the date that the county purchased, leased, or lease-purchased the voting system referenced in (7). For the purposes of this question, this date is when the county approved the contract with the voting system vendor.

Please attach a copy of the purchase, lease, or lease-purchase agreement with the voting system vendor to this application. If a copy of this agreement is not available, attach a copy of an affidavit sworn to by the Individual completing this application and an authorized representative of the vendor setting forth the terms of the agreement.

NOTE: If the terms of the purchase, lease, or lease-purchase agreement do not clearly identify whether each type of equipment or service is referenced in a quantity purchase agreement (described in Question (9) above), then attach a sheet indicating which equipment or service was listed in the QPA, and which equipment or service was NOT listed in the QPA.

(12) State the name and model number of the voting system purchased, leased-purchased, or leased by the county. Include the version number of each hardware, firmware, or software component of the system.

(13) Was the new voting system (or upgraded or expanded voting system) made available to voters in each precinct in the county?

☐

YES

☐

NO

☐

NA

(14) If "NO" to (13), please list *(or attach a listing of)* the precincts in which the new voting system (or upgraded or expanded voting system) will be used, and the precincts in which the new, upgraded, or expanded voting system will not be used.

SECTION 3. APPLICATION FOR SECTION 102 REIMBURSEMENT FUNDS

Complete SECTION 3 only if the County is a "Tier A" county, meaning that the County had precincts that used lever machines or punch cards at the November 7, 2000 general election. Otherwise, check "NA" and proceed to SECTION 4.

☐ NA

(15) List (or attach a listing of) the name of each precinct in the county which used lever machines or punch cards at the November 7, 2000 general election.

(16) State the total number of precincts listed in (15): _____.

(17) Did each precinct listed in (15) have at least one registered voter on November 7, 2000?

☐ YES

☐ NO

If NO, list (or attach a listing of) any such precinct.

(18) Does each precinct listed in (15) have at least one registered voter as of the date of this application?

☐ YES

☐ NO

If NO, list (or attach a listing of) any such precinct.

(19) Attach a list of the physical location (and mailing address if available) of the polling places designated for the November 2004 general election to serve the residents of each precinct listed in (15).

(20) Attach a resolution adopted by the county executive and county fiscal body concerning the accessibility of polling places and the administration of HAVA funds. A resolution in substantially the following form would be sufficient:

BE IT RESOLVED AND CERTIFIED BY THE _____ COUNTY BOARD OF COMMISSIONERS AND
_____ COUNTY COUNCIL:

SECTION 1. Subject to the availability of Title III requirement monies to the county under the Help America Vote Act of 2002, no later than March 31, 2006, the county will make all permanent and temporary improvements to each polling place in order to comply with the polling place accessibility standards set forth in Indiana Code 3-11-8, and to the extent possible, make any additional improvements identified in the HAVA polling place survey that are not specifically required by state or federal law.

SECTION 2. The County will submit a report to the Indiana Election Division no later than December 31, 2005. The report under this SECTION must list the polling place accessibility problems identified in the Survey of polling places and indicate whether these problems have been resolved by temporary or permanent improvements, or whether the polling place has been relocated to an accessible facility. If the report indicates that the problems have not yet been resolved, the report must indicate how the County will resolve the problem no later than March 31, 2006. The County agrees to submit any additional reports required by the Indiana Election Division until the County reports that the polling place accessibility requirements identified in the Survey have been resolved. The report must be certified as accurate by majority vote of the county election board, following review and opportunity for written comments to be added to the report by the local advisory council described in SECTION 4 of this Resolution.

SECTION 3. As of December 31, 2005, each polling place will contain at least one (1) voting system to permit a voter who is blind or visually impaired to vote privately and independently.

SECTION 4. The county legislative body will adopt an ordinance to establish a local advisory council comprised of representatives of the disabilities community and elderly voters to provide assistance to the county in choosing polling places. The council may include any number of members, but must include at least two (2) representatives of the disabilities communities or elderly voters. The county executive shall appoint the members and shall encourage county residents with a variety of backgrounds, partisan affiliations, and perspectives to participate. If county residents are not available to serve on the council, the county executive may partner with the Governor's Planning Council on Disabilities to carry out the functions of the council.

SECTION 5. The County fiscal body pledges that Section 102 HAVA monies received by the County will be used to pay any outstanding obligations incurred by the County for the voting system purchase subject to the reimbursement.

SECTION 6. The County fiscal body pledges that if the obligations incurred by the County to obtain this voting system have been paid in full or in part as of this date, that the remaining Section 102 reimbursement funds will be used to improve the administration of elections for federal office in the County.

SECTION 7. No later than thirty (30) days after adoption of this Resolution, the County will establish a separate non-reverting account in which all Section 102 reimbursement funds will be deposited.

SECTION 8. The County agrees to refund to the State of Indiana no later than May 1, 2006 an amount equal to the Section 102 reimbursement funds received by the County if the Secretary of State of Indiana and the Co-Directors of the Indiana Election Division determine on April 1, 2006 that the County has not (1) replaced the lever voting machines (or punch card voting systems) in each precinct of the county no later than December 31, 2005; or (2) honored one or more of the certifications made by the County in this Resolution regarding polling place accessibility or the permitted uses of these funds.

CERTIFIED, THIS ____ DAY OF _____, 20____.

[Signatures of County Commissioners, County Council members, attestation by County Auditor.]

- (21) Attach an affidavit executed by an authorized representative of the vendor stating that the voting systems obtained by the county comply with all requirements of Indiana and federal law as of the date of this application.
- (22) State total amount of reimbursement requested, along with the calculations used to determine this amount. Identify each component included in this reimbursement request, such as voting equipment; county level voting system software; interest expenses; operational expenses; legal expenses; paper expenses.

-
- (23) Does the County have any outstanding obligation for the voting system purchase subject to reimbursement? If YES, state to whom the obligation is owed and the current outstanding amount of the obligation.

☐ YES

☐ NO

-
- (24) If the County responded "YES" to (23), will the County apply the entirety of any Section 102 funds received from the State to the outstanding obligation within sixty (60) days following the County's receipt of these funds?

☐ YES

☐ NO

☐ NA

(25) If the County responded "NO" to (24), state the County's schedule for applying the funds to the outstanding obligation. If the County responded "YES" to (24), check "NA."

☐ NA

(26) If the County has an outstanding obligation to an entity other than the Indiana Bond Bank, has the County contacted the Indiana Bond Bank to explore financing or re-financing this obligation?

☐ YES

☐ NO

☐ NA

(27) Before entering into this obligation, did the County consider entering into a multi-county purchasing agreement with another county to reduce procurement costs through quantity purchasing?

☐ YES

☐ NO

(28) Has the County established a separate non-reverting account in which to deposit Section 102 reimbursement funds? If YES, state the name and number of this account. If NO, the County must agree to amend this application to provide that information before Section 102 funds are disbursed.

☐ YES

☐ NO, will amend

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SECTION 4. APPLICATION FOR TITLE III REQUIREMENT MONIES AND STATE MATCHING FUNDS

Indiana has received Title III Requirement Monies from the federal government. Any County is eligible to receive reimbursement from Title III Requirement Monies (and state matching funds) for reimbursement for obtaining a voting system for each polling place to permit a voter who is blind or visually impaired to vote privately and independently.

Complete SECTION 4 if the County is either a “Tier A” county or a “Tier B” county.

If the County is a “Tier A” County, and has already fully responded in SECTION 3 to a question set forth in SECTION 4, the Individual may simply indicate “See SECTION 3.”

(29) List (or attach a listing of) the name of each precinct in the county as of the date of this application.

(30) State the total number of precincts listed in (29): _____.

(31) Does each precinct listed in (29) have at least one registered voter as of the date of this application? (check one)

☐

YES

☐

NO

If NO, list (or attaching a listing of) any such precinct.

(32) Attach a list of the physical location (and mailing address if available) of the polling places designated for the November 2004 general election to serve the residents of each precinct listed in (29).

(33) Attach a resolution adopted by the county executive and county fiscal body concerning the accessibility of polling places and the administration of HAVA funds. A resolution in substantially the following form would be sufficient:

BE IT RESOLVED AND CERTIFIED BY THE _____ COUNTY BOARD OF COMMISSIONERS AND
_____ COUNTY COUNCIL:

SECTION 1. Subject to the availability of Title III requirement monies to the county under the Help America Vote Act of 2002, no later than March 31, 2006, the county will make all permanent and temporary improvements to each polling place in order to comply with the polling place accessibility standards set forth in Indiana Code 3-11-8, and to the extent possible, make any additional improvements identified in the HAVA polling place survey that are not specifically required by state or federal law.

SECTION 2. The County will submit a report to the Indiana Election Division no later than December 31, 2005. The report under this SECTION must list the polling place accessibility problems identified in the Survey of polling places and indicate whether these problems have been resolved by temporary or permanent improvements or whether the polling place has been relocated to an accessible facility. If the report indicates that the problems have not yet been resolved, the report must indicate how the County will resolve the problem no later than March 31, 2006. The County agrees to submit any additional reports required by the Indiana Election Division until the County reports that the polling place accessibility requirements identified in the Survey have been resolved. The report must be certified as accurate by majority vote of the county election board, following review and opportunity for written comments to be added to the report by the local advisory council described in SECTION 4 of this Resolution.

SECTION 3. As of December 31, 2005, each polling place will contain at least one (1) voting system to permit a voter who is blind or visually impaired to vote privately and independently.

SECTION 4. The county legislative body will adopt an ordinance to establish a local advisory council comprised of representatives of the disabilities community and elderly voters to provide assistance to the county in choosing polling places. The council may include any number of members, but must include at least two (2) representatives of the disabilities communities or elderly voters. The county executive shall appoint the members, and shall encourage county residents with a variety of backgrounds, partisan affiliations, and perspectives to participate. If county residents are not available to serve on the council, the county executive may partner with the Governor's Planning Council on Disabilities to carry out the functions of the council.

SECTION 5. The County fiscal body pledges that Title III requirement monies and state matching funds received by the County will be used to pay any outstanding obligations incurred by the County for the voting system purchase subject to the reimbursement.

SECTION 6. The County fiscal body pledges that if the obligations incurred by the County to obtain this voting system have been paid in full or in part as of this date, that the remaining Title III requirement monies and state matching funds will be used to improve the administration of elections for federal office in the County.

SECTION 7. No later than thirty (30) days after adoption of this Resolution, the County will establish a separate non-reverting account in which all Title III requirement monies and state matching funds will be deposited.

SECTION 8. The County agrees to refund to the State of Indiana no later than May 1, 2006 an amount equal to the Title III requirement monies and state matching funds received by the County if the Secretary of State of Indiana and the Co-Directors of the Indiana Election Division determine on April 1, 2006 that the County has not (1) provided at least one (1) voting system in each polling place of the county no later than December 31, 2005 to permit a voter who is blind or visually impaired to vote privately and independently in accordance with IC 3-11-15; or (2) honored one or more of the certifications made by the County in this Resolution regarding polling place accessibility or the permitted uses of these funds.

CERTIFIED, THIS ____ DAY OF _____, 20____.

[Signatures of County Commissioners, County Council members, attestation by County Auditor.]

- (34) Attach an affidavit executed by an authorized representative of the vendor stating that the voting systems obtained by the county comply with all requirements of Indiana and federal law as of the date of this application.
- (35) State total amount of reimbursement requested, along with the calculations used to determine this amount. Identify each component included in this reimbursement request, such as voting equipment; county level voting system software; interest expenses; operational expenses; legal expenses; paper expenses.

-
- (36) Does the County have any outstanding obligation for the voting system purchase subject to reimbursement? If YES, state to whom the obligation is owed and the current outstanding amount of the obligation.

☐ YES

☐ NO

(37) If the County responded "YES" to (36), will the County apply the entirety of any Title III requirement monies and state matching funds received from the State to the outstanding obligation within sixty (60) days following the County's receipt of these funds?

☐ YES

☐ NO

☐ NA

(38) If the County responded "NO" to (36), state the County's schedule for applying the funds to the outstanding obligation. If the County responded "YES" to (36), check "NA."

☐ NA

(39) If the County has an outstanding obligation to an entity other than the Indiana Bond Bank, has the County contacted the Indiana Bond Bank to explore financing or re-financing this obligation?

☐ YES

☐ NO

☐ NA

(40) Before entering into this obligation, did the County consider entering into a multi-county purchasing agreement with another county to reduce procurement costs through quantity purchasing?

☐ YES

☐ NO

(41) Has the County established a separate non-reverting account in which to deposit Title III requirement monies and state matching funds? If YES, state the name and number of this account. If NO, the County must agree to amend this application to provide that information before Title III requirement monies and state matching funds are disbursed.

☐ YES

☐ NO, will amend

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SECTION 5. APPLICATION FOR SECTION 101 FUNDS

Indiana has received additional federal funds (designated as "Section 101 funds") to use for several purposes under the Help America Vote Act, including the training and education of voters and poll workers, HAVA administration, and some additional voting equipment reimbursement.

The HAVA State Plan recommends that Section 101 funds budgeted for voting system reimbursement be expended for the reimbursement of voting systems after January 1, 1998 and before July 1, 2001 if the voting system meets the standards permitting reimbursement under Indiana Code 3-11-6.5, and if the State has completed its implementation of all requirements under HAVA.

Further, the HAVA State Plan provides that no Section 101 funds will be disbursed for voting equipment reimbursement in any year until any available Section 102 funds, Title III requirement monies, and state matching funds available in that year have first been disbursed.

Complete SECTION 5 if the County is either a "Tier A" county or a "Tier B" county.

If the County has already fully responded in SECTION 3 or SECTION 4 to a question set forth in SECTION 5, the Individual may simply indicate "See SECTION 3 [or SECTION 4]."

(42) List (or attach a listing of) the name of each precinct in the county as of the date of this application.

(43) State the total number of precincts listed in (42): _____.

(44) Does each precinct listed in (42) have at least one registered voter as of the date of this application? (check one)

☐ YES

☐ NO

If NO, list (or attach a listing of) any such precinct.

(45) Attach a list of the physical location (and mailing address if available) of the polling places designated for the November 2004 general election to serve the residents of each precinct listed in (42).

(46) Attach a resolution adopted by the county executive and county fiscal body concerning the accessibility of polling places and the administration of HAVA funds. A resolution in substantially the following form would be sufficient:

BE IT RESOLVED AND CERTIFIED BY THE _____ COUNTY BOARD OF COMMISSIONERS AND
_____ COUNTY COUNCIL:

SECTION 1. Subject to the availability of Section 101 monies to the county under the Help America Vote Act of 2002, no later than March 31, 2006, the county will make all permanent and temporary improvements to each polling place in order to comply with the polling place accessibility standards set forth in Indiana Code 3-11-8, and to the extent possible, make any additional improvements identified in the HAVA polling place survey that are not specifically required by state or federal law.

SECTION 2. The County will submit a report to the Indiana Election Division no later than December 31, 2005. The report under this SECTION must list the polling place accessibility problems identified in the Survey of polling places and indicate whether these problems have been resolved by temporary or permanent improvements, or whether the polling place has been relocated to an accessible facility. If the report indicates that the problems have not yet been resolved, the report must indicate how the County will resolve the problem no later than March 31, 2006. The County agrees to submit any additional reports required by the Indiana Election Division until the County reports that the polling place accessibility requirements identified in the Survey have been resolved. The report must be certified as accurate by majority vote of the county election board, following review and opportunity for written comments to be added to the report by the local advisory council described in SECTION 4 of this Resolution.

SECTION 3. As of December 31, 2005, each polling place will contain at least one (1) voting system to permit a voter who is blind or visually impaired to vote privately and independently.

SECTION 4. The county legislative body will adopt an ordinance to establish a local advisory council comprised of representatives of the disabilities community and elderly voters to provide assistance to the county in choosing polling places. The council may include any number of members, but must include at least two (2) representatives of the disabilities communities or elderly voters. The county executive shall appoint the members, and shall encourage county residents with a variety of backgrounds, partisan affiliations, and perspectives to participate. If county residents are not available to serve on the council, the county executive may partner with the Governor's Planning Council on Disabilities to carry out the functions of the council.

SECTION 5. The County fiscal body pledges that Section 101 funds received by the County will be used to pay any outstanding obligations incurred by the County for the voting system purchase subject to the reimbursement.

SECTION 6. The County fiscal body pledges that if the obligations incurred by the County to obtain this voting system have been paid in full or in part as of this date, that the remaining Section 101 funds will be used to improve the administration of elections for federal office in the County.

SECTION 7. No later than thirty (30) days after adoption of this Resolution, the County will establish a separate non-reverting account in which all Section 101 funds will be deposited.

SECTION 8. The County agrees to refund to the State of Indiana no later than May 1, 2006 an amount equal to the Section 101 funds received by the County if the Secretary of State of Indiana and the Co-Directors of the Indiana Election Division determine on April 1, 2006 that the County has not (1) provided at least one (1) voting system in each polling place of the county no later than December 31, 2005 to permit a voter who is blind or visually impaired to vote privately and independently in accordance with IC 3-11-15; or (2) honored one or more of the certifications made by the County in this Resolution regarding polling place accessibility or the permitted uses of these funds.

CERTIFIED, THIS ____ DAY OF _____, 20____.

[Signatures of County Commissioners, County Council members, attestation by County Auditor.]

- (47) Attach an affidavit executed by an authorized representative of the vendor stating that the voting systems obtained by the county comply with all requirements of Indiana and federal law as of the date of this application.
- (48) State total amount of reimbursement requested, along with the calculations used to determine this amount. Identify each component included in this reimbursement request, such as voting equipment; county level voting system software; interest expenses; operational expenses; legal expenses; paper expenses.

(49) Does the County have any outstanding obligation for the voting system purchase subject to reimbursement? If YES, state to whom the obligation is owed, and the current outstanding amount of the obligation.

☐ YES

☐ NO

(50) If the County responded "YES" to (49), will the County apply the entirety of any Section 101 funds received from the State to the outstanding obligation within sixty (60) days following the County's receipt of these funds?

☐ YES

☐ NO

☐ NA

(51) If the County responded "NO" to (49), state the County's schedule for applying the funds to the outstanding obligation. If the County responded "YES" to (49), check "NA."

☐ NA

(52) If the County has an outstanding obligation to an entity other than the Indiana Bond Bank, has the County contacted the Indiana Bond Bank to explore financing or re-financing this obligation?

☐ YES

☐ NO

☐ NA

(53) Before entering into this obligation, did the County consider entering into a multi-county purchasing agreement with another county to reduce procurement costs through quantity purchasing?

☐ YES

☐ NO

(54) Has the County established a separate non-reverting account in which to deposit Section 101 monies and state matching funds? If YES, state the name and number of this account. If NO, the County must agree to amend this application to provide that information before Section 101 monies and state matching funds are disbursed.

☐ YES

☐ NO

The remainder of this page is intentionally left blank.

SIGNATURE PAGE

SIGNATURE: _____

PRINTED NAME: _____

TITLE: _____

DATE: _____, 20____

The remainder of this page is intentionally left blank.

**REVIEW AND RECOMMENDATION BY
SECRETARY OF STATE AND
CONSENT BY CO-DIRECTORS OF
THE INDIANA ELECTION DIVISION**

Pursuant to IC 3-11-6.5-4(a), IC 3-11-6.5-7(d), or IC 3-11-6.5-8(e), the Secretary of State has reviewed the above application. The Secretary of State recommends to the Budget Committee that this application for reimbursement be

- ☐ Approved in its entirety
- ☐ Approved in part
- ☐ Denied in part
- ☐ Denied in its entirety

or held pending the submission of the following additional information requested from the applicant.

The Co-Directors

- ☐ Consent
- ☐ Do not consent

to this recommendation.

DATED: _____

Secretary of State of Indiana

Co-Director, Indiana Election Division

Co-Director, Indiana Election Division

Draft
REVIEW BY BUDGET COMMITTEE

Pursuant to IC 3-11-6.5-4(b), IC 3-11-6.5-7(e), or IC 3-11-6.5-8(f), the Budget Committee has reviewed the above application. The Committee has determined that the application

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does

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does not

comply with the provisions of IC 3-11-6.5 and refers the application to the Budget Agency for further action in accordance with that statute.

DATE: _____

FINDINGS BY BUDGET AGENCY

Pursuant to IC 3-11-6.5-4(b), IC 3-11-6.5-7(e), or IC 3-11-6.5-8(f), the Budget Agency after review by the Budget Committee finds that the county (*check one*)

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(1) has purchased or will purchase a new voting system or upgrade or expansion of an existing voting system to comply with the Help America Vote Act of 2002 (HAVA) that would be eligible for reimbursement under HAVA and this chapter from any fund account;

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(2) has purchased a new voting system or an upgrade or expansion of the county's existing voting system after January 1, 1998 and before July 1, 2001, that would not qualify for reimbursement from federal funds received under HAVA, and that the new voting system or upgrade or expansion of the county's existing voting system enhanced all of the following: (A) reliability of the county's voting system. (B) efficiency of the county's voting system. (C) ease of use of the county's voting system by voters. (D) public confidence in the county's voting system;

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(3) has purchased a voting system to comply with Section 102 of HAVA and is eligible for reimbursement under IC 3-11-6.5-7; or

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(4) has complied with IC 3-11-6.5-8 in requesting reimbursement from Section 101 funds by purchasing a voting system or upgrading or expanding a voting system to comply with HAVA.

Based on these findings (or the absence of these findings), the Budget Agency

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approves

☐

denies

this application.

DATE: _____

**REIMBURSEMENT BY SECRETARY OF STATE
AND INDIANA ELECTION DIVISION**

Based on the approval of this application by the Budget Agency following review by the Budget Committee, the Secretary of State, with the consent of the Co-Directors of the Indiana Election Division acts under IC 3-11-6.5-5, IC 3-11-6.5-7, or IC 3-11-6.5-8 to reimburse the applicant county in the amount of

_____ Dollars and _____ Cents (\$_____.____)

This reimbursement is made from the following accounts:

\$ _____ Section 102 funds

\$ _____ Title III requirement monies and state matching funds

\$ _____ Section 101 funds

NOTE: The disbursement of money from any fund is subject to the availability of money in the fund and the requirements of IC 3-11-6.5 and HAVA.

DATE: _____

Secretary of State of Indiana

Co-Director

Co-Director